IN THE MATTER OF US PATENT
APPLICATION NO. 10/665 818
IN THE NAME OF LUKE MARTIN
LEONARD PORTER

AFFIDAVIT

1.   I am John David Callaghan
of 7 North View, Whitworth, Rochdale Lancashire, UK

2.   I have the following experience as a computer programmer

Oracle Corporation (UK) Ltd – Consultant from 1990 to 2002
Independent consultant since 2002

3.   I understand that the United States Patent Office is concerned that the invention in US 10/665 818 could not really be performed by a routine practitioner on 19 September 2003, after the routine practitioner had read the application.

4.   I understand that the invention I am discussing is that defined in the attached claims.

5.   I was given the patent application by Mr. Porter on or around September 2003 and asked to write software to demonstrate that the invention really worked: to produce a simple demonstration that could show the benefits of the invention.

I did write the software code and the demonstrator machine did work. It did operate in accordance with the claims attached to this Affidavit.

6.   Mr. Porter did not convey to me any additional information beyond the content of the patent application, although I did seek and was given some relatively minor verbal clarifications of that content.

7.   It is my opinion that once the ideas and concepts of the patent application have been read and acquired by a routine practitioner in the field of writing database software, they can implement the invention straightforwardly. I wrote the code for the demonstrator in approximately 100 hours. This is quite quickly for a new project.

8.   I have read the USPTO Examiner's official letter of October 03 2006 and do not see what specific thing it is that the Examiner says is not achievable, and so I cannot answer specifically. The claimed invention is taught well enough in the patent specification for any competent database software writer to make a system that works.

AND I MAKE THIS AFFIDAVIT conscientiously believing the same to be true.

Sworn at

this   day of   2006

BEFORE ME   --------------------------------
                                         Solicitor